

RETAIL INSTALLMENT SALES ACT (EXCERPT)
Act 224 of 1966

445.869 Violation of act; actions; penalties.

Sec. 19. (1) The attorney general, the prosecuting attorney for the county where an alleged violation occurred, or a borrower may bring an action against a retail seller to do 1 or more of the following:

(a) Obtain a declaratory judgment that a method, act, or practice of a retail seller is a violation of this act.

(b) Enjoin a retail seller who is engaging or about to engage in a method, act, or practice that is a violation of this act.

(c) Recover \$1,000.00 and actual damages if the alleged violation of this act was committed by a retail seller for a noncredit card arrangement or \$1,500.00 and actual damages if the alleged violation involved any other credit arrangements.

(d) Recover reasonable attorney fees and the costs in connection with bringing an action under this act if the retail seller is found to have violated this act.

(e) In an action brought by the attorney general or a county prosecutor, recover a civil fine of not more than \$10,000.00 if the retail seller is found to have willfully and knowingly violated this act and \$20,000.00 if the retail seller is found to have persistently violated this act.

(2) Except for a violation described in section 12, a retail seller who violates this act in the extension of credit to a borrower or buyer shall not recover any interest or other charges in connection with the extension of credit. The borrower or buyer may recover reasonable attorney fees and court costs for enforcing this subsection or in defending against a cause of action brought by a retail seller who has violated this act.

(3) The attorney general or a borrower may bring a class action on behalf of persons injured by a violation of this act.

History: 1966, Act 224, Eff. Mar. 10, 1967;—Am. 1995, Act 167, Eff. Mar. 28, 1996.